

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TENTH DAY

(Tuesday, February 10, 2009)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Uresti, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Ogden, Shapleigh, Van de Putte.

The President announced that a quorum of the Senate was present.

The Reverend Rene' P. Lawson, Lake Cities United Methodist Church, Lake Dallas, offered the invocation as follows:

Gracious and eternal God, we pause this morning to first reflect upon the blessings of this wonderful state which we call home. Mindful of our responsibilities that we have to nurture her grounds and care for her people, we ask that You guide us in our work to represent those who live within the piney woods, the oak and cross timbers, the rolling plains, the coastal region, and the desert areas of our beloved state. Under the vastness of Your eternal heaven, watch over us as we seek to promote the goodness of Your grace. In the midst of today's unique challenges both within our state and our nation, encourage us with hope. Give us endless possibilities for solutions to conquer whatever may be before us. Grant us the fortitude to stand for what is right and yet the courage to stand against that which is wrong. And finally in the busyness of our labors, may we never forget our sons and daughters, those serving throughout the globe who are defenders of freedom and the values that we hold deep within our hearts. May their sacrifices inspire us in our service to our blessed Texas and the United States of America. For Your glory, and through Your grace, we offer these words. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Ogden was granted leave of absence for today on account of important business.

On motion of Senator Whitmire, Senator Shapleigh was granted leave of absence for today on account of important business.

On motion of Senator Whitmire, Senator Van de Putte was granted leave of absence for today on account of important business.

CO-AUTHORS OF SENATE BILL 39

On motion of Senator Zaffirini, Senators Carona and Uresti will be shown as Co-authors of **SB 39**.

CO-AUTHOR OF SENATE BILL 43

On motion of Senator Zaffirini, Senator Davis will be shown as Co-author of **SB 43**.

CO-AUTHOR OF SENATE BILL 440

On motion of Senator Ellis, Senator Zaffirini will be shown as Co-author of **SB 440**.

CO-AUTHOR OF SENATE BILL 639

On motion of Senator Lucio, Senator Zaffirini will be shown as Co-author of **SB 639**.

CO-AUTHOR OF SENATE BILL 644

On motion of Senator Shapiro, Senator Jackson will be shown as Co-author of **SB 644**.

CO-AUTHOR OF SENATE RESOLUTION 154

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-author of **SR 154**.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 13, HCR 24**.

PHYSICIAN OF THE DAY

Senator Wentworth was recognized and presented Dr. Tamara Dominguez of San Antonio as the Physician of the Day.

The Senate welcomed Dr. Dominguez and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

SENATE RESOLUTION 160

Senator Uresti offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the citizens of El Paso in celebrating February 9 and 10, 2009, as Mission Valley Days at the State Capitol; and

WHEREAS, The oldest section of El Paso, Mission Valley dates back to the 17th century, when it was settled by Spaniards and members of the Ysleta Pueblo tribe; several Spanish missions were built in the area during the 17th and 18th centuries; and

WHEREAS, The missions formed bases from which to Christianize the native populace and also attracted settlers and became the centers of farming and ranching communities; and

WHEREAS, Three of these historic missions remain and still operate as churches; originally built at Ysleta, Socorro, and San Elizario, each has suffered disaster and has had to be rebuilt, some more than once, but they continue to offer sanctuary and serenity to their parishioners today; and

WHEREAS, The Mission Valley area contains many other historic sites and is home to the Tigua Tribe of Ysleta del Sur Pueblo; the residents of this area are truly deserving of acknowledgement for their efforts to preserve its unique history and culture; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby extend a warm welcome to the citizens of Mission Valley as they visit Austin for Mission Valley Days at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this special occasion.

URESTI
SHAPLEIGH

SR 160 was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Mayor Art Franco, City of Anthony, and El Paso County Commissioner Willie Gandara, Jr.

The Senate welcomed its guests.

(Senator Averitt in Chair)

GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a delegation of citizens from Waller County.

The Senate welcomed its guests.

SENATE RESOLUTION 142

Senator Hinojosa offered the following resolution:

WHEREAS, Members of the Texas Senate are pleased to join with a delegation of citizens of Edinburg in celebrating Edinburg Day at the State Capitol on February 10, 2009; and

WHEREAS, Long considered the gateway to the lower Rio Grande Valley, Edinburg was originally known as Chapin when it became the Hidalgo County seat 100 years ago; it was a ranching community in its early years, then the arrival of the railroad and the introduction of irrigation in the early 20th century shifted the emphasis of the local economy to the farming of cotton, grain, and citrus; and

WHEREAS, Officially incorporated in 1919, Edinburg experienced a period of growth and prosperity fostered by the foresight of such city leaders as John Closner and W. F. Sprague; as a thriving center for agricultural marketing and processing, Edinburg experienced a building boom that included the construction of the Grandview Hospital and the Sam Houston and Stephen F. Austin Elementary Schools, all of which still stand; and

WHEREAS, The educational needs of area students are capably met by the Edinburg Consolidated Independent School District; encompassing 945 square miles, the district includes 27 elementary schools, four middle schools, three high schools, and an alternative campus; and

WHEREAS, Founded in 1927 as Edinburg Junior College, The University of Texas-Pan American remains one of the Valley's premier institutions of higher learning; the university has recently established a master's degree program in creative writing in order to foster a new generation of South Texas writers; and

WHEREAS, The University of Texas Regional Academic Health Center in Edinburg is part of a three-city, upper-division medical school system that includes an educational component in Harlingen and a postgraduate school of public health in Brownsville; and

WHEREAS, The Edinburg Children's Hospital has a 24-hour pediatric emergency room; the Doctors Hospital at Renaissance offers a full range of medical and surgical services; and the new Women's Hospital at Renaissance is able to handle the delivery of 8,000 babies a year; and

WHEREAS, The vibrant history and culture of the region are highlighted by the Museum of South Texas History; the facility's recent expansion includes the Rio Grande Legacy exhibit, tracing the history of the Valley from prehistoric times to the 19th century; further expansion of the museum will include the continuation of the Rio Grande Legacy exhibit to the present day, as well as the construction of the Will Looney Legacy Park; and

WHEREAS, Other Edinburg attractions include the 40-acre wetlands of the World Birding Center, where waterfowl and native plants can be viewed from winding trails and viewing platforms; events such as the annual All-American 10K Run/Walk promote health and fitness, attracting participants from all over Texas and the world; Edinburg is also home to the Texas Cook'Em cook-off, where grill cooks compete to prepare the best steaks, chicken, spare ribs, and brisket; and

WHEREAS, Edinburg's dynamic business climate is attracting major employers in manufacturing and the medical field, and the city's unemployment rate is the lowest in the Rio Grande Valley and better than the state and national levels; the Edinburg Economic Development Corporation has authorized substantial investment in filmmaking as part of its efforts to promote higher education, cultural enrichment, fine arts, and other positive aspects of this vibrant city; and

WHEREAS, Under the able leadership of its mayor and city commissioners, the city has experienced steady and favorable growth, and Edinburg has been recognized three times by the National Civic League as an All-America City; and

WHEREAS, In October of 2008, Edinburg celebrated its centennial as the county seat of Hidalgo County; proud of their rich history, the people of Edinburg are determined to preserve the best of the city's past while joining together to build a future full of hope and opportunity; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 10, 2009, as Edinburg Day at the State Capitol and extend a warm welcome to the delegation from Edinburg.

HINOJOSA
LUCIO

SR 142 was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate Joe Ochoa, Mayor, City of Edinburg; Alma Garza and Noe Garza, Edinburg Councilmembers; Lee Castro, Chair of the Board, Edinburg Chamber of Commerce; and Alexis Renae Garcia, Miss Edinburg 2009; accompanied by a delegation of citizens from Edinburg.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Davis was recognized and introduced to the Senate former Senator Don Kennard and his wife.

The Senate welcomed its guests.

SENATE RESOLUTION 135

Senator Harris offered the following resolution:

WHEREAS, The Texas Senate takes great pride in recognizing the members of Leadership Lewisville from Lewisville, Texas, on the occasion of their visit to Austin February 9 and 10, 2009; and

WHEREAS, Sponsored by the Lewisville Chamber of Commerce, Leadership Lewisville is part of the chamber's Community Development Division; and

WHEREAS, The goals of Leadership Lewisville include providing a unique educational experience for those who participate in the program and helping them to develop their leadership skills; the program also aims to motivate emerging leaders and help them to acquire a working knowledge of the community; and

WHEREAS, Anyone who works or resides in the greater Lewisville area is eligible to apply for admission to the program; and

WHEREAS, Managed by the Leadership Lewisville Steering Committee, the program requires students to attend one school board meeting and one city council meeting during the nine-month session; and

WHEREAS, Having its participants learn the inner workings of private and public institutions and how and where one might make contributions to the community are the desired ends of Leadership Lewisville; and

WHEREAS, The class of 20 to 30 members is chosen without regard to race, gender, age, education, or personal or employment affiliations; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend Leadership Lewisville for its innovative and thorough approach to preparing citizens for prominent roles in their community; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Leadership Lewisville as an expression of high regard from the Texas Senate.

NELSON
HARRIS

SR 135 was read and was adopted without objection.

GUESTS PRESENTED

Senator Harris, joined by Senator Nelson, was recognized and introduced to the Senate a delegation of citizens representing Leadership Lewisville.

The Senate welcomed its guests.

SENATE RESOLUTION 48

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to welcome the Denton County delegation to Austin for a festive celebration of Denton County Days at the State Capitol on February 9 and 10, 2009; and

WHEREAS, In partnership with Collin and Grayson Counties, Denton County is participating in the first Tri-County Event at the State Capitol, which is being held to demonstrate regional cooperation in the North Texas area; and

WHEREAS, Denton County was created in 1846 from the original Peters Colony Grant in Fannin County, and the new county was named for John B. Denton, a pioneer lawyer and Methodist minister; and

WHEREAS, Denton County is located in North Texas and serves as the gateway to the Dallas-Fort Worth Metroplex, and the City of Denton serves as the county seat; with its massive limestone blocks and soaring clock tower, the majestic Denton County Courthouse is one of the most impressive sights in the area; and

WHEREAS, Denton County has a thriving business culture that contributes to the area's progressive development and vibrant economy; and

WHEREAS, Denton County offers residents and visitors many cultural and recreational activities; outdoors enthusiasts enjoy the area's many lakes; music lovers can attend a wealth of live performances, and racing fans are drawn from miles around to the Texas Motor Speedway; and

WHEREAS, Renowned for its many excellent educational opportunities, Denton County is home to 11 public school districts; in addition, the University of North Texas, Texas Woman's University, and North Central Texas College offer students outstanding options for continuing their education; and

WHEREAS, The residents of Denton County are rightfully proud of their illustrious history and their many contributions to the rich legacy of the Lone Star State; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 9 and 10, 2009, as Denton County Days at the State Capitol and extend best wishes to the county's delegation for a memorable celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of these special days.

NELSON
ESTES
HARRIS

SR 48 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson, joined by Senators Estes and Harris, was recognized and introduced to the Senate Mary Horn, Denton County Judge; and Denton County Commissioners Hugh Coleman, Ron Marchant, Bobbie Mitchell, and Andy Eads; accompanied by a delegation of citizens from Denton County.

The Senate welcomed its guests.

SENATE RESOLUTION 46

Senator Shapiro offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize February 10, 2009, as Collin County Day at the State Capitol; and

WHEREAS, Collin County is a place of natural beauty and rural charm in the heart of North Texas, providing a superb quality of life for its citizens, a welcoming environment for business, a knowledgeable and skilled workforce, and first-rate recreational opportunities; and

WHEREAS, Collin County was formed in 1846; the county and its seat of government were named for one of its first settlers, Collin McKinney, who helped draft the Texas Declaration of Independence; and

WHEREAS, The population of Collin County surged with the arrival of the railroad in 1872; today, with a population of nearly 750,000 people, the county is the sixth most populous county in the state, and it continues to grow, with an average of 94 people arriving each day; and

WHEREAS, Industry in Collin County is flourishing; county leaders work closely with economic development groups to provide a variety of incentives to businesses, and they work continuously to maintain and expand infrastructure; and

WHEREAS, Collin County schools were recently recognized in a nationwide study of public school districts by *Forbes* magazine; residents are proud of their high school athletic programs, which last year saw four teams, Prosper, Allen, Celina, and Wylie, competing in state playoffs; the Prosper High School Eagles captured the 2008 3A High School Football Championship and the Allen High School Eagles won the 5A Football Championship; and

WHEREAS, Collin County Day at the State Capitol provides an opportunity to celebrate the county's rich past and its dynamic future and to recognize its many contributions to the growth of this state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby designate February 10, 2009, as Collin County Day and extend to the representatives of this important region a hearty welcome to the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as a token of esteem from the Texas Senate.

SHAPIRO
ESTES

SR 46 was read and was adopted without objection.

GUESTS PRESENTED

Senator Shapiro, joined by Senator Estes, was recognized and introduced to the Senate Collin County Commissioners Matt Shaheen, Joe Jaynes, and Kathy Ward; and County Judge Keith Self; accompanied by a delegation of citizens from Collin County.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
February 10, 2009

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 38, Welcoming Leadership Midlothian to the State Capitol.

HCR 39, Commending Edinburg Mayor Joe Ochoa for his years of service.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 176

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Wilson County on the occasion of its sesquicentennial celebration; and

WHEREAS, Wilson County was created February 13, 1860, out of parts of Bexar and Karnes Counties; it boasts a rich Spanish colonial history, with two mission ranchos within its borders, Rancho de las Cabras and Rancho de Paistle; and

WHEREAS, Wilson County has been home to many noted Texas patriots, including Colonel Juan Seguin and his father, Erasmo, and the Polley family; it has produced as many as 54 Texas Rangers, including Captain Will Wright and the legendary Frank Hamer; and

WHEREAS, Mindful of their county's historic legacy, its citizens have erected many Texas State Historical Markers, and four sites have been placed on the National Register of Historic Places; and

WHEREAS, Wilson County is home to a rich mix of ethnic diversity, drawing from many countries and nationalities; the county's citizens can take great pride in their history and their dedication to creating a better place in which to live, work, and raise a family; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the citizens of Wilson County on their many contributions to the legacy of our state and extend to them best wishes for a memorable sesquicentennial celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the county as an expression of esteem from the Texas Senate.

SR 176 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate members of the Wilson County Sesquicentennial Committee: LaJuana Newnam-Leus and Maurine Liles of Floresville, Gene Maeckel of Poth, and Shirley and John Grammer of La Vernia, accompanied by a delegation of citizens from Wilson County and a delegation of senior citizens representing Senior Day.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Davis was recognized and introduced to the Senate representatives of the Tax Assessor-Collectors Association of Texas.

The Senate welcomed its guests.

SENATE RESOLUTION 146

Senator Estes offered the following resolution:

WHEREAS, Residents of Wise County are gathering at the State Capitol on February 9 and 10, 2009, to celebrate the role their county has played in the history of our great state; and

WHEREAS, Officially created in 1856, the county was named in honor of Henry A. Wise, a United States congressman from Virginia who lent support to the annexation of Texas in the 1840s; and

WHEREAS, Wise County is located in Northwest Texas and enjoys a diverse economy, primarily centered around agribusiness, petroleum, manufacturing, and tourism; it is one of the 30 fastest-growing counties in the state and boasts a varied topography of rolling hills and flat terrain of red clay; and

WHEREAS, The area's historic sites and cultural attractions draw many visitors to Decatur, the county seat and home to the Waggoner Mansion, the Old Stone Prison, the Wise County Heritage Museum, and the historic pink granite Wise County Courthouse built in 1895; other towns in the county include Bridgeport, Alvord, Aurora, Boyd, Briar, Chico, Greenwood, Lake Bridgeport, Newark, New Fairview, Paradise, Pecan Acres, Rhome, Runaway Bay, and Slidell; and

WHEREAS, With its attractive landscape, the county is a desirable destination for visitors who enjoy the benefits of nature and outdoor recreational activities provided by Lake Bridgeport, Eagle Mountain Lake, and the Lyndon Baines Johnson National Grasslands; furthermore, the area's citizens celebrate their history with festive annual events, such as the Chisholm Trail Days in June and the Butterfield Stage Days in July; and

WHEREAS, The residents of this notable Texas county have played an important role in the development and preservation of their region, and it is a pleasure to pay tribute to Wise County and its citizens on this special occasion; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby proclaim February 9 and 10, Wise County Days and extend sincere best wishes to the Wise County residents for an enjoyable visit; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of these special days.

SR 146 was read and was adopted without objection.

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate Wise County Commissioners Kevin Burns and Terry Ross, accompanied by a delegation of citizens from Wise County.

The Senate welcomed its guests.

SENATE RESOLUTION 154

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the representatives of Amigos Del Valle, Incorporated, who are celebrating Senior Day at the State Capitol on February 10, 2009; and

WHEREAS, Amigos Del Valle, Incorporated, is a consortium of county and city governmental entities working to provide nutrition, transportation, and housing services to the senior citizens of Cameron, Hidalgo, and Willacy Counties and helping them to live healthy, productive, and self-sufficient lives; and

WHEREAS, Texas' senior citizens have devoted their lives to making this state a better place in which to live, work, and raise families; it is fitting that they are accorded the services they need and the opportunities and esteem they so richly deserve; and

WHEREAS, Amigos Del Valle began offering services to seniors in 1975 with a budget of \$375,000; thousands of senior citizens have used its services to maintain their health and live their lives with dignity; by 2008, the agency's annual budget had increased to approximately \$7 million; and

WHEREAS, Amigos Del Valle provides its wide range of services and activities for seniors through an established network of employees and more than 500 volunteers and through 30 senior centers, nine senior multifamily rental housing projects, and a central kitchen facility; and

WHEREAS, The agency has been honored for its outstanding services from such organizations as the National Council of La Raza, the Southwest Society on Aging, and *Hispanic Business Magazine*; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend all those involved with Amigos Del Valle, Incorporated, for its good work and extend a warm welcome to its representatives on Senior Day at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this occasion.

SR 154 was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Minnie Martinez, Amigos Del Valle Board Secretary; Jose E. Garza, Executive Director; Luis Barrientos, 2008-2009 Amigos Del Valle King; Eva Martinez, 2008-2009 Amigos Del Valle Queen; and Idalia R. Snell, Housing Department Director; accompanied by a delegation of members.

The Senate welcomed its guests.

SENATOR ANNOUNCED PRESENT

Senator Ogden, who had previously been recorded as "Absent-excused," was announced "Present."

SENATE RESOLUTION 134

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Children's Advocacy Centers of Texas, Incorporated, for their outstanding work in protecting and providing for children and to join citizens across the state in celebrating February 10, 2009, as Children's Advocacy Centers of Texas Day; and

WHEREAS, Children's Advocacy Centers of Texas, Incorporated, was founded with a charter membership of 13 local advocacy centers; it has grown to include 63 local centers throughout the state, which makes it the largest organization of children's advocacy centers in the nation; and

WHEREAS, The organization offers training programs, conducts site visits, provides a case tracking system, and offers a director mentoring program to help local centers better provide for and protect the children in their care; and

WHEREAS, Local advocacy centers serve over 40,000 children each year, over three-quarters of whom are involved in sexual abuse allegations; the local advocacy centers work to bring these young victims both justice and healing and to create partnerships with communities and agencies to coordinate the investigation and prosecution of child abuse cases; and

WHEREAS, Children's Advocacy Centers bring together a variety of unique disciplines, including law enforcement, prosecution, child protective services, and mental and medical health services, to create a collaborative approach to investigating and prosecuting child abuse; this approach results in the prompt, efficient, and comprehensive sharing of information and evidence and diminishes the often traumatic investigative process; and

WHEREAS, Child abuse and neglect remain pressing issues that should concern all the citizens of the state; local advocacy centers offer abused children a safe and child-friendly haven to begin their journey to justice and healing; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend Children's Advocacy Centers of Texas, Incorporated, on its dedication to improving the lives of the most vulnerable among us and extend best wishes for a memorable Children's Advocacy Centers of Texas Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared for this exemplary organization as an expression of high regard from the Texas Senate.

NELSON
HARRIS
SHAPIRO

SR 134 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson, joined by Senators Harris and Shapiro, was recognized and introduced to the Senate David Heselton, Board President, Children's Advocacy Centers of Texas; Elaine Emery, Board Vice-president, Children's Advocacy Center of Denton County; Nancy Hagan, Executive Director, Alliance for Children; Diana Estell, Board Member, Collin County Children's Advocacy Center; and Mary Blake Meadows, Board Chair, Dallas Children's Advocacy Center.

The Senate welcomed its guests.

SENATE RESOLUTION 173

Senator Deuell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize February 10, 2009, as Texas Organization of Residential Care Homes Day in Texas; and

WHEREAS, The Texas Organization of Residential Care Homes, known as TORCH, is an advocate for the rights of all assisted living and residential care residents so that they may be treated with optimum dignity, receive routinely high-quality service, and be afforded the maximum independence their condition will allow; and

WHEREAS, TORCH also provides education to the assisted living industry, the legislature, state agencies, and the public so all may be aware of the importance of Texas seniors and their rights; and

WHEREAS, TORCH will continue to lead the assisted living community in Texas as it cares for and protects residents that call their respective communities "home"; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby designate February 10, 2009, as Texas Organization of Residential Care Homes Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of Texas Organization of Residential Care Homes Day.

SR 173 was read and was adopted without objection.

GUESTS PRESENTED

Senator Deuell was recognized and introduced to the Senate a delegation representing Texas Organization of Residential Care Homes Day in Texas.

The Senate welcomed its guests.

SENATE RESOLUTION 137

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the senior citizens of our state and to join them and all Texans in celebrating Senior Day at the State Capitol on February 10, 2009; and

WHEREAS, Senior citizens are coming together for their fifth legislative session to discuss their mutual interests and to talk with their elected officials about the issues that affect them, their families, and society as a whole; and

WHEREAS, The theme chosen for this year's event, Seniors—the Heart of Texas, confirms the essential value of our older citizens and the many contributions they have made to the Lone Star State; and

WHEREAS, With their wealth of experience, their wisdom, and their many years of working, paying taxes, and volunteering in their communities, our senior citizens have built the foundation on which Texans have achieved greatness in many fields and in all aspects of life; and

WHEREAS, Texas seniors reflect the state's diverse cultural roots and exemplify the spirit of cooperation, responsibility, and dedication to the common good that has strengthened communities and made this state a better place; the people of Texas are indebted to seniors for their lifetime of work, their service to others, and the example they set; and

WHEREAS, Senior Day at the Capitol is an opportunity to focus on issues facing seniors in Texas and to celebrate the many contributions made by these valuable citizens; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby pay tribute to our senior citizens for the vital role they have played in the past and for their continuing service to society and extend to them best wishes for an enjoyable and rewarding Senior Day at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of highest regard from the Texas Senate.

NELSON
HARRIS
URESTI

SR 137 was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a delegation of senior citizens from across the state representing Senior Day at the State Capitol.

The Senate welcomed its guests.

(President Pro Tempore Duncan in Chair)

SENATE RESOLUTION 159

Senator Lucio offered the following resolution:

WHEREAS, Citizens of Hidalgo County are gathering at the State Capitol to celebrate Hidalgo County Day on February 10, 2009; and

WHEREAS, Hidalgo County is an area rich in history, which continues to shape this growing mix of urban and rural landscapes; the county is home to more than 750,000 people, six international bridges, and a thriving economy anchored by the health care, retail, trade, and tourism industries; and

WHEREAS, This gateway to the United States was first settled by the Coahuiltecas, the Karankawa, the Lipan Apaches, and the Comanche; and

WHEREAS, The first Spanish visitors, including Jose de Escandon, arrived in the 17th century, establishing settlements along the Rio Grande; the Spanish government issued land grants leading to the creation of many cattle ranches, which still remain an integral part of life in Hidalgo County today; and

WHEREAS, After the end of the Mexican-American War in 1848, the region became part of the United States; established in 1852, Hidalgo County was named for Miguel Hildago y Costilla, an advocate for Mexican independence; in the early 20th century, the town of Chapin was renamed Edinburg and made county seat; and

WHEREAS, The arrival of the railway in 1904 helped introduce large-scale farming in the county, particularly of citrus, cotton, corn, and sugarcane; with the establishment in 1924 of a regional Texas Agricultural Experiment Station in Weslaco, the towns along Highway 83 began to thrive, and it came to be described as "the longest main street in the world"; and

WHEREAS, While farming and ranching remain important to the county, the discovery of oil in 1934 increased the region's prosperity; today the county is one of the most vibrant and fastest-growing regions of Texas, ripe with talented individuals dedicated to transforming it into a top place to live, work, and play; the county is considered a major port of entry into the United States, and the shipment of goods from Mexico is an essential part of the county's economy; and

WHEREAS, This economic prosperity is a product of the hard work of its citizens, who are well served by the University of Texas–Pan American in Edinburg and South Texas College; the county also pays tribute to its heritage and learns of others' with several cultural venues and events, including the Museum for South Texas History, the International Museum of Art and Science, the Valley Symphony Orchestra and Chorale, and an up-and-coming art and entertainment district in the City of McAllen; and

WHEREAS, Residents and visitors alike enjoy the many attractions of Hidalgo County; the Texas Citrus Fiesta in Mission every winter features a carnival and the Parade of Oranges; in Weslaco, the Rio Grande Valley Onion Festival in April

includes food booths, entertainment, and onion recipe contests; the Rio Grande Valley Livestock Show in Mercedes draws an average attendance of 160,000 every March; and

WHEREAS, Shoppers frequent the Delta Mercado, an outdoor and indoor artisan market in the Delta Region which opened in 2008, and other major retail venues across the county; visitors from around the world make pilgrimages to San Juan to visit the Basilica of Our Lady of San Juan del Valle-National Shrine; and with nearly 400 species of birds, the Santa Ana National Wildlife Refuge near Alamo is an international destination for birders; and

WHEREAS, Led by County Judge J. D. Salinas and County Commissioners Sylvia S. Handy, Hector "Tito" Palacios, Joe M. Flores, and Oscar L. Garza, Jr., the residents of this dynamic region of the Lone Star State have much to be proud of, as they celebrate the past and work to build a bright and prosperous future; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 10, 2009, as Hidalgo County Day at the State Capitol and extend to the visiting delegation sincere best wishes for an informative and enjoyable visit to Austin.

LUCIO
HINOJOSA

SR 159 was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio, joined by Senator Hinojosa, was recognized and introduced to the Senate Hidalgo County Judge J. D. Salinas III and County Commissioner Hector "Tito" Palacios, accompanied by a delegation of citizens from Hidalgo County.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
February 10, 2009

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 37, Honoring Olympic gymnastics champion Nastia Liukin of Parker.

Respectfully,
/s/Robert Haney, Chief Clerk
House of Representatives

(President in Chair)**SENATE RESOLUTION 143**

Senator Hinojosa offered the following resolution:

WHEREAS, Residents of the City of McAllen are gathering at the State Capitol on February 10, 2009, to celebrate their community's contributions to the vitality of the Lone Star State; and

WHEREAS, The development of present-day McAllen began in 1797 when Spanish settler Jose Manuel Gomez founded the Santa Anita Ranch in southern Hidalgo County; the ranch grew in size and, after passing through the hands of several heirs, it was inherited by his great-granddaughter, Salome Balli; Salome married John McAllen, and together they continued to add to the property and renamed it McAllen Ranch; and

WHEREAS, In 1904, Mr. McAllen and other early settlers established a town site called West McAllen, and a year later, the St. Louis, Brownsville, and Mexico Railroad arrived; other developers founded East McAllen in 1907, and the two towns eventually merged and became home to several businesses, churches, residences, and a newspaper; by 1920, the city's population exceeded 5,000 residents and was continuing to grow; and

WHEREAS, Over the last three decades, McAllen has grown into a center for business, commerce, and government in the Rio Grande Valley, and it is one of the fastest-growing metropolitan statistical areas in the country; in 2001, McAllen was ranked as one of the top 25 best places to do business in the United States by *Forbes Magazine* and it was named number one in mid-size cities for growth and development in the South by *Southern Business Magazine*; and

WHEREAS, The unique landscape of the Rio Grande Valley offers rich soil for farming and a hospitable environment for cultivating citrus fruits, cotton, sugarcane, and many other crops and vegetables; and

WHEREAS, A center of cultural attractions, McAllen is home to the International Museum of Art and Science, which serves as a showcase for traveling exhibitors, loaned works from the Smithsonian Institution, and an extensive collection of Latin American folk art; the city is also a regional banking, retail, and convention hub with La Plaza mall and the new \$75 million convention center; and

WHEREAS, Tourists and residents alike enjoy festive annual events, such as the Candlelight Posada, the Fourth of July festival, PalmFest, and the Texas Square Dance Jamboree; McAllen was named an All-America City in 1996, and in 2008, McAllen celebrated the first annual Drop the Ball New Year's Eve Bash, a free, community-wide event that promises to provide an exciting New Year's Eve option for residents throughout the Valley for years to come; and

WHEREAS, The citizens of McAllen are justifiably proud of their city, which has played a significant role in the annals of Texas history, and it is a pleasure to pay tribute to them on this special day; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby recognize February 10, 2009, as McAllen Day at the State Capitol and extend to all McAllen residents who are present on this day sincere best wishes for a memorable visit to Austin.

HINOJOSA
LUCIO

SR 143 was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate Richard Cortez, Mayor, City of McAllen; Charlie Lopez, Board Chair, McAllen Chamber of Commerce; Dr. Cayetano Barrera, Board Chair, McAllen Economic Development Corporation; and Scott Crane, McAllen City Commissioner; accompanied by a delegation of citizens from McAllen.

The Senate welcomed its guests.

ESCORT COMMITTEE APPOINTED

In accordance with the provisions of **HCR 32**, the President announced the appointment of the following as a Committee to Escort Chief Justice Wallace B. Jefferson to the Joint Session: Senators Wentworth, Chair; Whitmire, Seliger, Ellis, and Huffman.

SENATE CONCURRENT RESOLUTION 16

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 81st Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, February 11, 2009, and ending on Tuesday, February 17, 2009.

WHITMIRE

SCR 16 was read.

On motion of Senator Whitmire, the resolution was considered immediately and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Shapleigh, Van de Putte.

SENATE RULE 11.10(a) SUSPENDED (Public Notice of Committee Meetings)

On motion of Senator Gallegos and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Subcommittee on Flooding and Evacuations might meet today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:24 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 10:15 a.m. tomorrow.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

SB 16 by Averitt

Relating to the enhancement of air quality, including the capture of carbon dioxide and development of a greenhouse gas registry, the development of emissions reduction technologies, and the improvement of energy efficiency in buildings, vehicles, and appliances; providing civil penalties.

To Committee on Natural Resources.

SB 21 by Zaffirini, Carona, Hinojosa, Lucio, Uresti, Van de Putte

Relating to an enhanced quality full-day prekindergarten program provided by public school districts in conjunction with community providers.

To Committee on Education.

SB 22 by Zaffirini

Relating to exempting books purchased by university and college students from the sales tax for a limited period.

To Committee on Finance.

SB 23 by Zaffirini

Relating to the period of continuous eligibility for the medical assistance program.

To Committee on Health and Human Services.

SB 24 by Zaffirini

Relating to the waiting period for issuing a decree in certain suits for divorce.

To Committee on Jurisprudence.

SB 25 by Zaffirini

Relating to the duration of the interagency task force on ensuring appropriate care settings for persons with disabilities.

To Committee on Health and Human Services.

SB 26 by Zaffirini

Relating to health benefit plan coverage for certain prosthetic devices, orthotic devices, and related services.

To Committee on State Affairs.

SB 27 by Zaffirini

Relating to the creation of the individual development account program to provide savings incentives and opportunities to eligible low-income individuals and households.

To Committee on Business and Commerce.

SB 28 by Zaffirini

Relating to the use of a computer for an unauthorized purpose.

To Committee on Business and Commerce.

SB 29 by Zaffirini

Relating to bullying through electronic means in public schools.

To Committee on Education.

SB 30 by Zaffirini

Relating to the restoration of the medically needy program under the state Medicaid program.

To Committee on Finance.

SB 32 by Zaffirini

Relating to the detention and transportation of a person with a mental illness.

To Committee on Health and Human Services.

SB 33 by Zaffirini

Relating to school district requirements regarding parental notification and documentation in connection with disciplinary alternative education programs.

To Committee on Education.

SB 34 by Zaffirini

Relating to the civil liability of an employer or former employer of a mental health services provider who engages in sexual exploitation of a patient or former patient.

To Committee on State Affairs.

SB 35 by Zaffirini

Relating to mortality review for certain individuals who are developmentally disabled.

To Committee on Health and Human Services.

SB 36 by Zaffirini

Relating to the program to educate cattle producers about trichomoniasis.

To Committee on Agriculture and Rural Affairs.

SB 37 by Zaffirini

Relating to providing home- and community-based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities.

To Committee on Health and Human Services.

SB 38 by Zaffirini

Relating to considering school district disciplinary placement information for accountability purposes.

To Committee on Education.

SB 39 by Zaffirini, Van de Putte

Relating to health benefit plan coverage for routine patient care costs for enrollees participating in certain clinical trials.

To Committee on State Affairs.

SB 40 by Zaffirini

Relating to surveys of certain premises at which home and community-based services providers provide services.

To Committee on Health and Human Services.

SB 41 by Zaffirini

Relating to determination of state contributions for participation by certain junior college employees in the state employees group benefits program.

To Committee on Finance.

SB 42 by Zaffirini

Relating to the eligibility of certain postdoctoral fellows and graduate students to participate in health benefit programs at public institutions of higher education.

To Committee on State Affairs.

SB 43 by Zaffirini

Relating to tuition and fee exemptions at public institutions of higher education for students who have been in foster care or certain other residential care.

To Committee on Higher Education.

SB 44 by Zaffirini

Relating to the participation of undergraduate students in funding awarded under the advanced research program.

To Committee on Higher Education.

SB 47 by Zaffirini

Relating to the transfer of certain functions regarding career and technology education from the Texas Education Agency to the Texas Higher Education Coordinating Board.

To Committee on Education.

SB 48 by Zaffirini

Relating to the offense of hazing.

To Committee on Higher Education.

SB 49 by Zaffirini

Relating to certain requirements applicable to the State Center for Early Childhood Development.

To Committee on Education.

SB 50 by Zaffirini

Relating to the creation of the lifespan respite services pilot program.

To Committee on Health and Human Services.

SB 51 by Zaffirini

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.

To Committee on Transportation and Homeland Security.

SB 52 by Zaffirini

Relating to the penalties for the illegal use of a parking space or area designated specifically for persons with disabilities.

To Committee on Transportation and Homeland Security.

SB 53 by Zaffirini

Relating to minimum standards for juvenile case managers.

To Committee on Jurisprudence.

SB 54 by Zaffirini

Relating to the supervision of juvenile case managers.

To Committee on Jurisprudence.

SB 55 by Zaffirini

Relating to judicial instruction for judges who hear complaints against children alleging violations of certain misdemeanor offenses.

To Committee on Jurisprudence.

SB 56 by Zaffirini

Relating to the preparation of a child impact statement for a bill or joint resolution considered by the legislature.

To Committee on Administration.

SB 57 by Zaffirini

Relating to an oral statement regarding the impact of an offense in certain cases involving a violent crime.

To Committee on Criminal Justice.

SB 58 by Zaffirini

Relating to the administration of the Juvenile Justice Case Management System.

To Committee on Jurisprudence.

SB 59 by Zaffirini

Relating to training for employees and operators of certain child-care facilities.

To Committee on Health and Human Services.

SB 60 by Zaffirini

Relating to the right of an employee who is a victim of a crime to time off from work to attend court proceedings related to that crime.

To Committee on Business and Commerce.

SB 61 by Zaffirini

Relating to the offense of failing to secure a child passenger in a motor vehicle and to fines for the offense.

To Committee on Transportation and Homeland Security.

SB 62 by Zaffirini

Relating to permitting certain military attorneys to represent military personnel and their dependents in civil proceedings before the courts of this state.

To Committee on Jurisprudence.

SB 63 by Zaffirini

Relating to a career ladder for interveners who provide services under the deaf-blind with multiple disabilities waiver program.

To Committee on Health and Human Services.

SB 64 by Zaffirini

Relating to insurance coverage for certain devices that facilitate insulin therapy and enhance glucose control in the treatment of diabetes.

To Committee on State Affairs.

SB 65 by Zaffirini

Relating to leave for junior college district or university system employees who are physically assaulted while on duty.

To Committee on Higher Education.

SB 66 by Nelson

Relating to health care coverage for children in Title IV-D cases.
To Committee on State Affairs.

SB 67 by Nelson

Relating to the imposition of background and criminal history check requirements for operators and employees of certain facilities and agencies serving children, the elderly, or persons who are disabled.
To Committee on Health and Human Services.

SB 68 by Nelson

Relating to licensing and inspection requirements of the Department of Family and Protective Services for certain facilities and homes providing child care; providing penalties.
To Committee on Health and Human Services.

SB 69 by Nelson

Relating to child protective services.
To Committee on Health and Human Services.

SB 70 by Nelson

Relating to the investigation of abuse, neglect, or exploitation in an intermediate care facility for the mentally retarded.
To Committee on Health and Human Services.

SB 71 by Nelson

Relating to the limitation on paid leave for state employees at health and human services agencies pending a criminal history background check.
To Committee on Health and Human Services.

SB 72 by Nelson

Relating to training and other human resources functions of health and human services agencies.
To Committee on Health and Human Services.

SB 73 by Nelson

Relating to the establishment of an adult stem cell research program.
To Committee on Health and Human Services.

SB 74 by Nelson

Relating to limitation of liability for certain emergency care provided during a declared disaster.
To Committee on State Affairs.

SB 75 by Nelson

Relating to the establishment of a disaster and emergency education program.
To Committee on Transportation and Homeland Security.

SB 76 by Nelson

Relating to authorizing a children's health benefit plan for certain small employers.
To Committee on State Affairs.

SB 77 by Nelson

Relating to participation by single-employee businesses in private purchasing cooperatives or health group cooperatives.

To Committee on State Affairs.

SB 78 by Nelson

Relating to promoting awareness and education about the purchase and availability of health coverage.

To Committee on State Affairs.

SB 79 by Nelson

Relating to specialty certification for insurance agents serving certain employer groups.

To Committee on State Affairs.

SB 80 by Nelson

Relating to employer contributions under small employer health benefit plans.

To Committee on State Affairs.

SB 81 by Nelson

Relating to certain providers of subsidized child care.

To Committee on Health and Human Services.

SB 82 by Nelson

Relating to a fee imposed as a condition of community supervision for an offense involving family violence.

To Committee on Jurisprudence.

SB 83 by Nelson

Relating to right to vacate and avoid residential lease liability following the occurrence of certain sex offenses or family violence.

To Committee on Jurisprudence.

SB 84 by Nelson

Relating to establishment of a suicide prevention program for public high schools.

To Committee on Education.

SB 85 by Nelson

Relating to establishment of a suicide prevention pilot program for public high schools.

To Committee on Education.

SB 86 by Nelson

Relating to the eligibility of certain aliens for a license to practice medicine in this state.

To Committee on Health and Human Services.

SB 87 by Nelson

Relating to adverse licensing, listing, or registration decisions by certain health and human services agencies.

To Committee on Health and Human Services.

SB 88 by Nelson, Harris

Relating to the creation of an additional judicial district composed of Denton County.
To Committee on Jurisprudence.

SB 89 by Van de Putte

Relating to the prosecution, punishment, and prevention of offenses involving trafficking of persons or certain forced or sex-based labor or services, law enforcement training relating to the trafficking of persons, and the creation of the trafficking of persons investigation and prosecution account in the general revenue fund.

To Committee on Criminal Justice.

SB 90 by Van de Putte, Shapleigh, Uresti, Wentworth

Relating to adoption of the Interstate Compact on Educational Opportunity for Military Children.

To Committee on Veteran Affairs and Military Installations.

SB 91 by Van de Putte, Ellis, Lucio

Relating to regulation of property and casualty insurance rates.

To Committee on Business and Commerce.

SB 92 by Van de Putte

Relating to the establishment of a program to provide a ballot by electronic mail to military personnel serving overseas.

To Committee on State Affairs.

SB 93 by Van de Putte

Relating to the residency requirements for tuition and fee exemptions for certain military personnel and their dependents.

To Committee on Higher Education.

SB 94 by Van de Putte

Relating to restrictions on the use of a stun gun; providing certain criminal penalties and defenses to prosecution for persons who obtain a stun gun license.

To Committee on Criminal Justice.

SB 95 by Van de Putte, Zaffirini

Relating to prohibiting the sale or use of unsafe children's products; providing a civil penalty.

To Committee on State Affairs.

SB 96 by Van de Putte

Relating to swimming pool safety; providing a civil penalty.

To Committee on State Affairs.

SB 97 by Van de Putte

Relating to the authority of a dental hygienist to provide services in certain facilities.

To Committee on Health and Human Services.

SB 98 by Lucio

Relating to establishing a health science center and medical school in South Texas.

To Committee on Higher Education.

SB 99 by Lucio

Relating to wireless telephone consumer protections.
To Committee on Business and Commerce.

SB 100 by Lucio, Shapiro, Van de Putte

Relating to professional development institutes for public school teachers and paraprofessionals regarding education of students with disabilities.
To Committee on Education.

SB 101 by Lucio

Relating to the selection of hosting locations for certain University Interscholastic League extracurricular competitions.
To Committee on Education.

SB 102 by Lucio

Relating to required use by insurers of certain standard insurance policy forms for residential property insurance.
To Committee on Business and Commerce.

SB 103 by Lucio

Relating to rates charged for residential property and personal automobile insurance in certain rating territories.
To Committee on Business and Commerce.

SB 106 by Ellis

Relating to insurer rating practices requiring prior approval.
To Committee on Business and Commerce.

SB 107 by Ellis

Relating to the creation of the Texas Health Benefit Plan Security Program.
To Committee on State Affairs.

SB 108 by Ellis

Relating to the establishment and funding of a green job skills training program.
To Committee on Economic Development.

SB 109 by Ellis

Relating to the duties of the Texas Department of Insurance.
To Committee on State Affairs.

SB 110 by Ellis, Lucio, Van de Putte

Relating to prohibition of the use of credit scoring in underwriting and rating certain personal lines of insurance coverage.
To Committee on Business and Commerce.

SB 111 by Ellis

Relating to suspension of the unemployment compensation waiting period requirement during a disaster subject to a federal disaster declaration.
To Committee on Business and Commerce.

SB 112 by Ellis

Relating to deferred prosecution programs for certain military service members and veterans.

To Committee on Criminal Justice.

SB 113 by Ellis

Relating to resident tuition rates at public institutions of higher education for certain veterans and their dependents.

To Committee on Higher Education.

SB 114 by Ellis

Relating to the payment of higher education tuition and fees for certain military personnel and their dependents.

To Committee on Higher Education.

SB 115 by Ellis

Relating to the creation of a commission to investigate and prevent wrongful convictions.

To Committee on Criminal Justice.

SB 116 by Ellis

Relating to electronically recording certain interrogations and the admissibility of certain statements made by a juvenile or a criminal defendant.

To Committee on Criminal Justice.

SB 117 by Ellis

Relating to photograph and live lineup identification procedures in criminal cases.

To Committee on Criminal Justice.

SB 118 by Ellis

Relating to the registration of voters at a polling place during early voting by personal appearance and related procedures.

To Committee on State Affairs.

SB 119 by Ellis

Relating to the implementation by the Texas Commission on Environmental Quality of a low-emission vehicle program.

To Committee on Natural Resources.

SB 120 by Ellis

Relating to the rate of the motor vehicle sales and use tax imposed on certain motor vehicles.

To Committee on Finance.

SB 121 by Ellis

Relating to certain state purchases from entities doing business in Sudan; providing a civil penalty.

To Committee on Finance.

SB 122 by Ellis

Relating to the availability of free prekindergarten programs in public schools.

To Committee on Education.

SB 123 by Ellis

Relating to dedicating money in the system benefit fund to certain purposes.
To Committee on Finance.

SB 124 by Ellis

Relating to applications for permits issued by the Texas Commission on Environmental Quality for new or expanded facilities in certain low-income and minority communities.
To Committee on Natural Resources.

SB 125 by Ellis

Relating to the right of a foreign national to contact a foreign consular official.
To Committee on Criminal Justice.

SB 126 by Ellis

Relating to a temporary moratorium on authorizations for certain coal-fired electric generating facilities.
To Committee on Natural Resources.

SB 127 by Ellis

Relating to design, construction, and renovation standards for state buildings and facilities.
To Committee on Natural Resources.

SB 128 by Ellis

Relating to a franchise tax credit for certain investments made in relation to sustainable commercial building projects.
To Committee on Finance.

SB 129 by Ellis

Relating to the maximum speed limit for a neighborhood electric vehicle being operated on a street or highway.
To Committee on Transportation and Homeland Security.

SB 130 by Ellis

Relating to an exemption from the sales tax for certain renewable energy devices.
To Committee on Finance.

SB 131 by Ellis

Relating to the operation of hybrid motor vehicles.
To Committee on Transportation and Homeland Security.

SB 132 by Ellis

Relating to a requirement that the manufacturer of a motor vehicle affix a label on the vehicle containing information concerning the vehicle's emissions.
To Committee on Natural Resources.

SB 133 by Ellis

Relating to exemptions from the sales tax for energy efficient products for a limited period.
To Committee on Finance.

SB 134 by Ellis

Relating to the period during which certain energy-efficient products are exempt from the sales tax.

To Committee on Finance.

SB 135 by Ellis

Relating to the creation and publication of cancer incidence maps by the Department of State Health Services.

To Committee on Health and Human Services.

SB 136 by Ellis

Relating to the Texas Global Warming Solutions Act; imposing a fee and providing a penalty.

To Committee on Natural Resources.

SB 137 by Ellis

Relating to early voting by mail by any qualified voter.

To Committee on State Affairs.

SB 138 by Ellis

Relating to the designation of certain election days as state holidays.

To Committee on State Affairs.

SB 139 by Ellis

Relating to prohibited deceptive or disenfranchising practices regarding an election; providing criminal penalties.

To Committee on State Affairs.

SB 140 by Ellis

Relating to the registration of voters at a polling place and related procedures.

To Committee on State Affairs.

SB 141 by Ellis

Relating to the eligibility requirements for voting by persons convicted of a felony.

To Committee on State Affairs.

SB 142 by Ellis

Relating to certain restrictions on a person who serves as secretary of state.

To Committee on State Affairs.

SB 143 by Ellis

Relating to limits on political contributions and direct campaign expenditures by individuals; providing civil and criminal penalties.

To Committee on State Affairs.

SB 144 by Ellis

Relating to exemptions from the sales tax for certain school supplies and instructional materials.

To Committee on Finance.

SB 145 by Ellis

Relating to the sale by textbook publishers of bundled instructional material for use by students at public institutions of higher education; providing a penalty.

To Committee on Higher Education.

SB 146 by Ellis

Relating to disclosure by a pharmacy of a list of prescription drug retail prices.

To Committee on Health and Human Services.

SB 147 by Ellis

Relating to coverage under residential property insurance policies for certain losses incurred because of compliance with an emergency evacuation order.

To Committee on Business and Commerce.

SB 148 by Ellis

Relating to required community investment by certain insurers; providing administrative and civil penalties.

To Committee on Business and Commerce.

SB 149 by Ellis

Relating to the availability of property insurance under the Fair Access to Insurance Requirements (FAIR) Plan.

To Committee on Business and Commerce.

SB 150 by Ellis

Relating to the determination of the amount of payment on certain claims under residential property insurance policies.

To Committee on Business and Commerce.

SB 151 by Ellis

Relating to the disclosure of certain expenditures by prescription drug manufacturers; imposing a penalty.

To Committee on Health and Human Services.

SB 152 by Ellis

Relating to the standard of proof in health care liability claims involving emergency care.

To Committee on State Affairs.

SB 153 by Ellis

Relating to depositions of witnesses in a health care liability claim.

To Committee on State Affairs.

SB 154 by Ellis

Relating to the portion of designated tuition required to be set aside to provide student financial assistance at institutions of higher education.

To Committee on Higher Education.

SB 155 by Ellis

Relating to reports regarding the consideration of certain factors by public and private institutions of higher education in admissions.

To Committee on Higher Education.

SB 156 by Ellis

Relating to limits on the size of prekindergarten classes in public schools.
To Committee on Education.

SB 157 by Ellis

Relating to the Texas Civil Rights History Teacher Stipend Program.
To Committee on Education.

SB 158 by Ellis

Relating to a notification requirement if a nurse is not assigned to a public school campus.
To Committee on Education.

SB 159 by Ellis

Relating to application of the minimum wage to certain governmental entities.
To Committee on Intergovernmental Relations.

SB 160 by Ellis

Relating to the Texas Holocaust and Genocide Commission.
To Committee on State Affairs.

SB 161 by Ellis

Relating to specialty license plates supporting the Safe Routes to School Program.
To Committee on Transportation and Homeland Security.

SB 162 by Ellis

Relating to the crediting of appropriated funds from the collection of taxes imposed on the sale of sporting goods.
To Committee on Finance.

SB 163 by Ellis

Relating to a consumer's option to prevent the sale of the consumer's financial information by a financial institution; providing for civil liability.
To Committee on Business and Commerce.

SB 164 by Ellis

Relating to a criminal justice policy impact statement attached to certain bills or resolutions.
To Committee on Administration.

SB 165 by Ellis

Relating to an annual report and analysis by the Office of Court Administration regarding cases involving the trial of a capital offense.
To Committee on Criminal Justice.

SB 166 by Ellis

Relating to hearings by the Board of Pardons and Paroles regarding clemency matters.
To Committee on Criminal Justice.

SB 167 by Ellis

Relating to the applicability of the death penalty to a capital offense committed by a person with mental retardation.
To Committee on Criminal Justice.

SB 168 by Ellis

Relating to the insanity defense in a criminal case.
To Committee on Criminal Justice.

SB 169 by Ellis

Relating to the authority of the governor to grant one or more reprieves in a capital case.
To Committee on Criminal Justice.

SB 170 by Ellis

Relating to requiring the use of an ignition interlock device on conviction of certain intoxication offenses.
To Committee on Criminal Justice.

SB 171 by Gallegos

Relating to standards for measuring the emission of air contaminants under the Texas Clean Air Act; providing a penalty.
To Committee on Natural Resources.

SB 172 by Shapiro

Relating to financial incentives and other assistance to develop and maintain excellence in specific programs and fields of study at public institutions of higher education.
To Committee on Higher Education.

SB 173 by Gallegos

Relating to monitoring air contaminant emissions from certain sources.
To Committee on Natural Resources.

SB 174 by Shapiro

Relating to online performance reports for public institutions of higher education.
To Committee on Higher Education.

SB 175 by Shapiro

Relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.
To Committee on Higher Education.

SB 176 by Gallegos

Relating to the reporting of emissions events under the Clean Air Act.
To Committee on Natural Resources.

SB 177 by Gallegos

Relating to the location of certain facilities and shelters within certain municipalities.
To Committee on Intergovernmental Relations.

SB 178 by Gallegos

Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.
To Subcommittee on Flooding and Evacuations.

SB 179 by Gallegos

Relating to exempting certain hurricane preparation supplies from the sales tax for a limited period.

To Committee on Finance.

SB 180 by Gallegos

Relating to the creation of a state occupational health and safety plan; establishing a maintenance tax.

To Committee on State Affairs.

SB 181 by Gallegos

Relating to uniform reentry procedures for essential personnel entering an area evacuated during a disaster or other emergency.

To Subcommittee on Flooding and Evacuations.

SB 182 by Patrick

Relating to informed consent to an abortion.

To Committee on State Affairs.

SB 183 by Williams

Relating to a school choice program for certain students with disabilities.

To Committee on Education.

SB 184 by Watson

Relating to "no regrets" greenhouse gas emission reduction strategies.

To Committee on Natural Resources.

SB 185 by Watson

Relating to establishing a commission to prepare and recommend a long-range plan for higher education in this state.

To Committee on Higher Education.

SB 186 by Watson

Relating to eligible recipients of certain grants awarded by the commissioner of education.

To Committee on Education.

SB 187 by Deuell

Relating to a Medicaid buy-in program for certain children with disabilities.

To Committee on Health and Human Services.

SB 188 by Deuell, Van de Putte

Relating to disease control programs to reduce the risk of certain communicable diseases.

To Committee on Health and Human Services.

SB 189 by Shapleigh

Relating to the extension of consumer credit to certain members of the Texas National Guard and armed forces of the United States and their dependents; providing a penalty.

To Committee on Veteran Affairs and Military Installations.

SB 190 by Shapleigh

Relating to a sales and use tax rebate for certain low-income families.
To Committee on Finance.

SB 192 by Shapleigh

Relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans.
To Committee on Finance.

SB 193 by Shapleigh

Relating to the total revenue exemption for the franchise tax.
To Committee on Finance.

SB 194 by Shapleigh

Relating to a prohibition against certain activities by a person employed in the financial aid office of a public institution of higher education.
To Committee on Higher Education.

SB 195 by Shapleigh

Relating to student Internet access to certain financial and academic information maintained by public institutions of higher education.
To Committee on Higher Education.

SB 196 by Shapleigh

Relating to an allotment under the foundation school program for certain students who are military dependents.
To Subcommittee on Base Realignment and Closure.

SB 197 by Shapleigh

Relating to the expansion of the financial literacy pilot program in public schools.
To Committee on Education.

SB 198 by Shapleigh

Relating to requiring general academic teaching institutions to offer personal financial literacy training.
To Committee on Higher Education.

SB 199 by Shapleigh

Relating to providing training in personal financial literacy instruction for public school teachers.
To Committee on Education.

SB 200 by Shapleigh

Relating to providing resident tuition at public institutions of higher education for certain military veterans and their dependents.
To Committee on Higher Education.

SB 643 by Nelson

Relating to the protection and care of individuals with mental retardation who reside in certain state-operated facilities.
To Committee on Health and Human Services.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 129 by Ellis, In memory of Betty Louise Hughes.

SR 169 by Hinojosa, In memory of Marian Gunst Crutchfield of Corpus Christi.

Welcome and Congratulatory Resolutions

SCR 14 by Shapiro, Honoring Olympic gymnastics champion Nastia Liukin of Parker.

SR 162 by Davis, Recognizing the Arlington High School Colt Chorale for earning a place at the Texas Music Educators Association Clinic and Convention.

SR 163 by Davis, Recognizing Julius L. Jackson, Jr., of Fort Worth on the occasion of his 50th birthday.

SR 164 by Davis, Welcoming the Tax Assessor-Collectors Association of Texas to the State Capitol.

SR 167 by Uresti, Recognizing the City of Eagle Pass for earning the 2008 PISCES Award.

SR 168 by Hinojosa, Recognizing Blandina "Bambi" Cárdenas on the occasion of her retirement as president of The University of Texas–Pan American.

SR 174 by Nichols, Recognizing the Palestine Area Chamber of Commerce for its contributions to science education.

SR 175 by Nichols, Recognizing Francine and Ruben W. Hope, Jr., on the occasion of their 50th wedding anniversary.

SR 177 by Ellis, Recognizing James W. Vaughn on the occasion of his 70th birthday.

HCR 31 (Watson), Honoring Barbara Smith Conrad on her career as a world-renowned opera singer.

HCR 37 (Shapiro), Honoring Olympic gymnastics champion Nastia Liukin of Parker.

HCR 38 (Averitt), Welcoming Leadership Midlothian to the State Capitol.

Official Designation Resolutions

SR 147 by Estes, Recognizing February 10, 2009, as Grayson County Day at the State Capitol.

SR 153 by Nelson, Recognizing February 10, 2009, as LIVESTRONG Texas Advocacy Day at the State Capitol.

SR 172 by Hinojosa, Declaring February 12, 2009, Jim Wells County Day at the State Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 1:30 p.m. adjourned until 10:15 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

February 9, 2009

**SCR 13, SR 128, SR 136, SR 138, SR 139, SR 140, SR 144, SR 148, SR 149,
SR 150, SR 151, SR 155, SR 156, SR 157, SR 158**

SENT TO SECRETARY OF STATE

February 10, 2009

SCR 13

